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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/893,743	06/29/2001	David Israel	2013.0040000	2013.0040000 3343		
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STERNE, KESSLER, GOLDSTEIN & FOX PLLC			HARPER,	HARPER, KEVIN C		
WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Kevin C. Harper 2868	·		Application	on No.	Applicant(s)					
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Edenbors of time may be excluded under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely flied after 5K (6) MONTHS from the mailing date of this communication. - If the period for reply specific above is less than they (3) days, a reply within the statutory minimum of thinty (30) days, a vill be considered timely. - Failure to reply within the set or extended period for reply within the statutory minimum of thinty (30) days, a vill be considered direly. - Failure to reply within the set or extended period for reply with the statutory minimum of thinty (30) days, a vill be considered direly. - Failure to reply within the set or extended period for reply with (3) days a reply within the set of extended period for reply within the set or extended period for reply within the set of the set			09/893,74	13	ISRAEL ET AL.					
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* See the attached detailed Office action for a list of the certified copies not received.	* Se	ee the attached detailed Office action	for a list of the certif	ied copies not receive	d.					
Attachment(s)				🗆 .						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date	2) Notice	or References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTC)-948)	4) Interview Summary (Paper No(s)/Mail Date	PTO-413) te					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 12/04. 5) Notice of Informal Patent Application (PTO-152) 6) Other:										

Art Unit: 2666

Response to Arguments

Applicant's arguments, filed November 24, 2004, with respect to the rejection of claims 1-3, 5-6, 15-16 and 18-22 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Jennings et al. (US 2004/0025186) in view of Smith et al. (US 2002/0133247).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 15-16, 19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings et al. (US 2004/0025186) in view of Smith et al. (US 2002/0133247).

- Regarding claim 15, 19 and 21, Jennings discloses a system for providing audio on an egress audio channel over a network (fig. 2). The system comprises a first and second internal audio source (fig. 2, item 206 and 208; para. 4, lines 3-6 and para. 20, lines 6-7), a packet switch coupled to the internal audio sources (item 214; para. 143), where the switch includes an inherent network interface controller (para. 143, lines 1-2; note: inherent interface to support communication to the outside network). The sources generate IP packets each having an audio payload and control header information (para. 152 and 192; note: RTCP includes standardized synchronization and sequencing information in the RTP header).
- 2. However, Jennings does not disclose that the network interface controller controls transmission of the packets on the egress channel over the network. Smith discloses a noiseless

or seamless switching of media streams (figs. 1 and 5, para. 60, lines 1-3; para. 62). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to control seamless switching between audio streams in the invention of Jennings in order to avoid delay in switching between streams (Jennings, para. 9-11).

- 3. Regarding claim 16, in Jennings a control signal is used to start stream generation (para. 140, last three lines; para. 138, lines 1-4; para. 143, lines 3-6).
- 4. Regarding claim 22, the audio sources convert audio from an external source (para. 147, lines 1-2).

Allowable Subject Matter

5. Claims 1-14, 17-18, 20, 23-26 and 28-32 are allowed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Miller et al. (US 2002/0118805) discloses a switch coupled to audio sources in a system (fig. 1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the

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Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin harper@uspto.gov.

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SEEMA S. RAO 7/11/19

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